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Mayor

# CITY OF NEWTON, MASSACHUSETTS

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Public Hearing Date: April 13, 2010  
Land Use Action Date: June 22, 2010  
Board of Aldermen Action Date: July 5, 2010  
90-Day Expiration: July 13, 2010

DATE: April 9, 2010

TO: Board of Aldermen

FROM: Candace Havens, Interim Director of Planning and Development  
Alexandra Ananth, Senior Planner

SUBJECT: **Petition #74-10, JOHN A. VITTI/MARION T. VITTI**, for a SPECIAL PERMIT/SITE PLAN APPROVAL to legalize an existing third unit in a two-family dwelling at **826 WATERTOWN STREET**, Ward 3, WEST NEWTON, on land known as Sec 31, Blk 10, Lot, containing approx 15,474 sf of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(c)(1), and 30-19(m) of the City of Newton Rev Zoning Ord, 2007.

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.

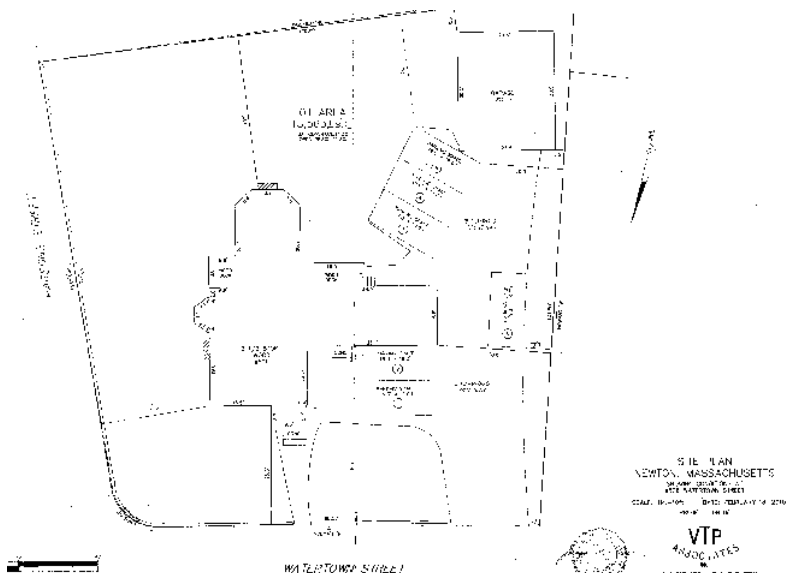


## **EXECUTIVE SUMMARY**

The petitioner is proposing to legalize an existing third unit in a two-family dwelling located at 826 Watertown Street, on the corner of Parson Street. The subject property consists of a 15,474 sq. ft. lot located in a Multi Residence 1 zone, and is improved with a two and a half-story front gabled Italianate residence circa 1870. *The existing structure has been used as a four-family dwelling for almost 50 years however, the owners have not been able to establish that the use was ever legally established.*

This project is a result of a complaint that the City's Zoning Enforcement Agent received in 2008. Upon investigation of the complaint, the Building Inspector noticed building code violations including lack of sufficient egress from some units, and that the structure was being used as a four-family dwelling where only a two-family residence is allowed by right. The property owner worked with the Inspectional Services Department to remedy the building code violations successfully in the summer of 2009 and currently rents two units in the house while living in a third unit. Although this is considered a zoning code violation the owner is now working towards obtaining a special permit to legalize the third unit in the building.

The petitioner is not proposing any changes to the structure or site. However, for the three-family dwelling proposed the applicant must provide six off-street parking spaces. Although the petitioner located dimensioned parking stalls on the submitted site plan, the Planning Department notes that stall #2 is located within five feet of the structure, stall #6 is located in the side setback, and the parking areas do not meet the required landscaping and lighting requirements. Although it is possible that the parking may have existed in its current configuration prior to 1977 (when parking regulations were adopted) and would be considered legal nonconforming, the petitioner has not submitted such information. The Planning Department notes that the subject property contains a large Italianate barn, which could house at least two cars if improvements were made to the structure. As a public benefit, the Planning Department recommends the petitioner consider improving the barn for use as a garage in order to preserve the accessory structure and to remove some surface parking from view.



***Site plan of land showing  
surface parking***

## I. SIGNIFICANT ISSUES FOR CONSIDERATION

When considering this request, the Board should consider whether the proposed third dwelling unit will adversely affect the neighborhood and that any exceptions to the parking requirements are in the public interest.

## II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

### A. Neighborhood and Zoning

The property is located on Watertown Street at the southwest corner of Parson Street, in a neighborhood zoned Multi Residence 1. The north side of Watertown Street is located in a district zoned Single Residence 3. The neighborhood is a mix of single- and two-family dwellings and the subject property is the only residence with more than two units in the immediate neighborhood with the exception of 15-19 Cross Street, which has five units on a 7,500 sq. ft. lot.

The majority of residences south of Watertown Street (in the MR-1 district) were built between 1890 and 1930, and lot sizes average approximately 9,500 sq. ft. The average lot size per unit for the neighborhood is approximately 6,800 sq. ft. Looking only at the multi-residence properties, the average lot size per unit is approximately 5,800 sq. ft. The petitioner is proposing a lot area per unit of 5,158, meeting the zoning requirements, but below the neighborhood average (*ATTACHMENTS "A & B"*).

### B. Site

The 15,474 sq. ft. site is relatively level and is slightly larger than the average lot size for the neighborhood. In addition to the residence, the lot is improved with an Italianate barn that appears to be in deteriorating condition. Due to the garage door it appears that the barn was used as a garage at some time in the past.



*Existing carriage house/barn*

## III. PROJECT DESCRIPTION AND ANALYSIS

### A. Land Use

No changes to the existing use of the residence are proposed; the petitioner is proposing to legalize an existing third unit where two units are allowed by right. The petitioner has submitted information that the use of the structure as a three- and four-family has occurred for at least 50 years; however, the petitioner is not able to show

that this use was ever legal.

B. Building and Site Design

The petitioners are not proposing any changes to the existing residence or barn. The petitioners are not proposing any changes to the site either, as the bituminous driveway can sufficiently accommodate six parking stalls as existing. Although the Planning Department has some concerns that the parking areas do not comply with current regulations it is expected that this is a legal nonconforming condition. Nevertheless, the petitioner should resolve this issue prior to being scheduled for a working session. Finally, the Planning Department notes that there is an existing barn on the property that could accommodate two cars if restored. The Planning Department suggests the petitioner consider restoring the barn for use as a garage in order to remove some surface parking from view and as a benefit to the neighborhood.

C. Parking and Circulation

The petitioners are not altering the curb cut or driveway configuration in any way; currently it appears there is parking for six surface parking stalls. Two stalls are located in front of the house (both out of the front setback), one stall is located at an angle along the west side of the driveway, and three stalls are located between the barn and the residence. *It appears stall #2 is within five feet of the existing residence and should be shifted north a few feet. Stall number #6 is located within the side setback and must either be shifted so that it is out of the setback or request a waiver from the Board of Aldermen. Alternatively, the petitioner may submit a notarized affidavit stating that parking has existed in its current configuration prior to 1977 in order to establish that the parking is legal nonconforming.*

D. Landscape Screening

The petitioner is not proposing any additional landscape screening as part of the request for special permit. There are two mature trees located towards the front of the property and some screening on the western property line that appears sufficient.

IV. TECHNICAL REVIEW

- A. Technical Considerations (Section 30-15). The Zoning Review Memorandum, dated December 3, 2009 (*SEE ATTACHMENT "C"*), provides an analysis of the proposal with regards to zoning. The petitioner is proposing to convert a structure in the MR-1 zone to a dwelling for three families. This is allowed with a special permit. The petitioner has the required lot area per unit and is able to provide two off-street parking spaces for each unit.

*The petitioner should submit information proving that the parking is legal nonconforming or must obtain waivers from the Board of Aldermen under Section 30-19(m).*

B. Other Reviews. No other reviews are required for this project. However, the Sr. Preservation Planner has written a memorandum in support of the preservation of the existing accessory barn structure on the subject property (*SEE ATTACHMENT "D"*).

V. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum the petitioners are seeking approval through or relief from:

- Section 30-9(c)(1) to convert an existing structure to a dwelling for three families
- Section 30-9(c)(1)(b), 30-19(h), (i), & (j), and 30-19(m) to allow for waivers to the parking regulations, including the location of stalls in a setback, within five feet of a structure containing dwelling units and landscaping screening and lighting requirements
- Section 30-23, for site plan approval
- Section 30-24, for approval of special permit

VI. PETITIONERS' RESPONSIBILITIES

The petitioner should submit information showing the parking is legal nonconforming (existed in its current configuration prior to 1977) if possible, and should consider making improvements to the barn structure in order to provide some covered parking.

**ATTACHMENTS**

***ATTACHMENT A & B: NEIGHBORHOOD COMPARISON CHARTS***

***ATTACHMENT C: ZONING REVIEW MEMORANDUM DATED DECEMBER 3, 2009***

***ATTACHMENT D: MEMORANDUM FROM SR. PRESERVATION PLANNER***

***ATTACHMENT D: ZONING MAP***

***ATTACHMENT E: LAND USE MAP***

***ATTACHMENT F: DRAFT BOARD ORDER***

# Attachment A

## Neighborhood Comparison Chart (Prepared by Planning Department based on information obtained from the Assessor's Database)

<u>Address</u>	<u>Approx. Yr. Built</u>	<u>Lot Size</u>	<u># Units</u>	<u>Lot Area Per Unit</u>	<u>Approx. Sq. Ft.</u>
814 Watertown St	1890	10,124	1	10,124	1,808
802 Watertown St	1930	8,436	2	4,218	2,239
806-808 Watertown St	1910	9,167	2	4,584	3,144
<b>826 Watertown St</b>	<b>1870</b>	<b>15,474</b>	<b>2</b>	<b>7,737</b>	<b>3,548</b>
832 Watertown St	1925	5,765	1	5,765	1,400
836 Watertown St	1920	5,461	1	5,461	1,400
846 Watertown St	1905	2,990	1	2,990	1,512
848 Watertown St	1905	4,934	1	4,934	1,935
854 Watertown St	1890	6,006	1	6,006	1,560
856 Watertown St	1890	4,800	1	4,800	1,560
858-860 Watertown St	1890	6,750	2	3,375	2,644
11 Parsons St	1900	19,146	1	19,146	1,972
14-16 Parsons St	1950	12,342	2	6,171	3,000
19 Parsons St	1920	5,538	1	5,538	1,761
20 Parsons St	1890	9,648	1	9,648	1,549
23-25 Parsons St	1972	9,760	2	4,880	1,230
28 Parsons St	1900	11,437	2	5,719	2,105
5 Cross St	1890	5,621	1	5,621	1,593
12 Cross St	1890	6,948	1	6,948	1,876
15-19 Cross St	NA	13,290	5	2,658	7,516
16 Cross St	1850	10,984	1	10,984	2,987
21-23 Cross St	2001	26,009	2	13,005	4,130
<b>Average</b>		<b>9,574</b>		<b>6,832</b>	<b>2,385</b>
<b>826 Watertown St Propos</b>	<b>1870</b>	<b>15,474</b>	<b>3</b>	<b>5,158</b>	<b>3,548</b>

***Neighborhood Multifamily Only Comparison Chart (Prepared by Planning Department  
based on information obtained from the Assessor's Database)***

<u>Address</u>	<u>Approx. Yr. Built</u>	<u>Lot Size</u>	<u># Units</u>	<u>Lot Area Per Unit</u>	<u>Approx. Sq. Ft.</u>
802 Watertown St	1930	8,436	2	4,218	2,239
806-808 Watertown St	1910	9,167	2	4,584	3,144
826 Watertown St	1870	15,474	2	7,737	3,548
858-860 Watertown St	1890	6,750	2	3,375	2,644
14-16 Parsons St	1950	12,342	2	6,171	3,000
23-25 Parsons St	1972	9,760	2	4,880	1,230
28 Parsons St	1900	11,437	2	5,719	2,105
15-19 Cross St	NA	13,290	5	2,658	7,516
21-23 Cross St	2001	26,009	2	13,005	4,130
<b>Average</b>		<b>12,518</b>		<b>5,816</b>	<b>3,284</b>
<b>826 Watertown St Proposed</b>		<b>15,474</b>	<b>3</b>	<b>5,158</b>	<b>3,548</b>

***Zoning Review Memorandum***

**Dt:** December 3, 2009

**To:** John Lojek, Commissioner of Inspectional Services

**Fr:** Eve Tapper, Chief Zoning Code Official  
Candace Havens, Chief Planner

**Cc:** Michael Kruse, Director, Department of Planning and Development  
John Vitti, on behalf of the property owner  
Ouida Young, Associate City Solicitor

**RE: Request to allow a three-family dwelling.**

**Applicant: Marion Vitti****Site:** 826 Watertown Street**SBL:** Section 31, Block 10, Lot 1**Zoning:** MR-1**Lot Area:** 15,474 square feet**Current use:** Multi-family residence**Proposed use:** Three-family residence**Background:**

The subject property consists of a 15,474 square foot lot currently improved with a multi-family dwelling. This project stems from a complaint the City received from a tenant of the building in 2008. Upon following up on the complaint, the City's Building Inspector noticed building code violations including the lack of adequate egress from the units on the second and third floors. In addition, the house was being used as a four-family dwelling in the MR-1 zone where only a two-family is allowed by right. The property owner submitted information to the Chief Zoning Code Official in an effort to establish that the four-family use was a legal, nonconforming use. Although she was able to prove that the four-family use has continued on the site for almost 50 years, she was unable to show that the use had been established legally in the first place. Therefore, the use was not deemed to be legal nonconforming.

In June 2009, the property owner wrote to Commissioner of Inspectional Services John Lojek requesting a determination that the third unit was a pre-existing accessory apartment pursuant to Section 30-9(h)(2). The Commissioner agreed that the unit was pre-existing and recommended that the owner continue the process to legalize the accessory apartment through an application to the Director of the Department of Planning and Development under Section 30-9(h)(2)(d). This part of the legalization process was never pursued. Nevertheless, the property owner worked with the Inspectional Services Department to remedy the building code violations in the summer of 2009 and currently rents two units in the house while living in the third. Although technically this is a zoning code violation, the owner is now working towards obtaining a special permit to legalize three units in the building. This zoning review memo is the first step in that process.

**Administrative determinations:**

1. The property is in the MR-1 zone and must comply with the dimensional standards of Section 30-15, Table 1 for a pre-1953 lot (see chart below).

<b>MR-1 Zone</b>	<b>Required/Allowed</b>	<b>Existing</b>	<b>Proposed</b>
Lot size	7,000 sq. ft.	15,474 sq. ft.	No change
Lot size per unit	3,500 sq. ft. (per Table 1) 5,000 sq. ft. (per § 30-9(c)(1)(a))	7,737 sq. ft. <sup>1</sup>	5,158 sq. ft.
Frontage	70 feet	145 feet (per Assess. Database)	No change
Setbacks			
• Front	25 feet	25.3 feet	No change
• Side	7.5 feet	28.6 feet	No change
• Rear	15 feet	38.1 feet	No change
FAR	.4	Information not provided by applicant <sup>2</sup>	No change
Building Height of addition	30 feet	Information not provided by applicant <sup>2</sup>	No change
Maximum Stories	2.5	Information not provided by applicant <sup>2</sup>	No change
Max. Lot Coverage	30%	11.3%	No change
Min. Open Space	50%	61.6%	No change

<sup>1</sup> This figure was not supplied by the applicant, but was derived by assuming that there are two legal units on site ( $15,474/2 = 7,737$ ) and potentially an accessory apartment that does not require a specific lot area per unit.

<sup>2</sup> Per the ordinance, no exterior changes to the existing structure are allowed and none are proposed. Information on FAR, Building Height and Number of Stories is not relevant to this review since it will not change.

2. The applicant is proposing to convert a structure in existence before May 7, 1979 in the MR-1 zone to a dwelling for more than two families. This is allowed with approval of a Special Permit from the Board of Alderman per Section 30-9(c)(1).
  
3. Section 30-9(c)(1)(b) requires that there shall be provided for each family two off-street parking spaces. For the three-family dwelling proposed, the applicant must provide six parking spaces. The design standards for a parking facility with five or more parking spaces are laid out in Sections 30-19(h), (i), and (j). Section 30-19(h) deals with the layout and design, 30-19(i) is concerned with landscaping and 30-19(j) lays out lighting requirements. The site plans submitted do not include the delineation of any parking spaces. A parking plan that complies with the standards in Sections 30-19(h), (i), and (j) must be provided. Alternatively, since the applicant has been able to show that the property has been used as a four-family for at least 50 years (well before the parking regulations were adopted in 1977) she may be able to provide a notarized affidavit that the parking situation on-site pre-dates the parking regulations and that the configuration has remained unchanged. In either case, some parking plan should be submitted with the special permit application. Finally, if the parking facility is not legal nonconforming and the applicant is unable to design a conforming lot that meets the required standards, a special permit for waivers of the requirements must be obtained from the Board of Aldermen under Section 30-19(m).

4. See “Zoning Relief Summary” below:

<i><b>Zoning Relief Summary</b></i>		
<i><b>Ordinance</b></i>	<i><b>Site</b></i>	<i><b>Action Required</b></i>
§30-9(c)(1)	Convert an existing structure to a dwelling for three-families	SP per §30-24
§30-9(c)(1)(b), §30-19(h), (i), and (j), and §30-19(m)	Comply with applicable parking regulations	Provide additional plans, an affidavit or SP per §30-24

Plans and materials reviewed:

- “Area Plan of Land, Newton, Massachusetts at #826 Watertown Street,” dated October 1, 2009, stamped and signed by Joseph R. Porter, Professional Land Surveyor
- “Site Plan, Newton, Massachusetts Showing Conditions at #826 Watertown Street, dated October 1, 2009, stamped and signed by Joseph R. Porter, Professional Land Surveyor
- “A-1, Existing Basement Plan, No. 826 Watertown Street, Newton, MA,” dated 10/19/09, drawn by Construction Design Services, neither stamped nor signed by a licensed professional
- “A-2, Existing First Floor Plan, No. 826 Watertown Street, Newton, MA,” dated 10/19/09, drawn by Construction Design Services, neither stamped nor signed by a licensed professional “A-3, Existing Second Floor Plan, No. 826 Watertown Street, Newton, MA,” dated 10/19/09, drawn by Construction Design Services, neither stamped nor signed by a licensed professional (There is an incorrect dimension for the small “bedroom” off the living room.)
- “A-4, Existing Third Floor Plan, No. 826 Watertown Street, Newton, MA,” dated 10/19/09, drawn by Construction Design Services, neither stamped nor signed by a licensed professional, drawn by Construction Design Services,
- “E-1, Existing Exterior Elevations , No. 826 Watertown Street, Newton, MA, dated 10/19/09, drawn by Construction Design Services, neither stamped nor signed by a licensed professional, drawn by Construction Design Services

## Attachment D

**DATE:** April 9, 2010

**TO:** Land Use Committee

**FROM:** Brian Lever, Preservation Planner

**SUBJECT:** 826 Watertown Street Special Permit Application

**cc:** Alexandra Ananth, Senior Planner

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I would like to call your attention to the remaining historic character at this property. The house and barn / carriage house on the property were constructed circa 1875 likely in Italianate style. The house was subsequently added on to between 1886 and 1895 and again in the 20<sup>th</sup> century, while the barn / carriage house has retained its original form. Historic outbuildings such as barns and carriage houses are a part of the City's history and are rapidly disappearing. In many cases they go unused and degrade to the point where the Newton Historical Commission is powerless to stop their demolition due to safety concerns. The Commission has consistently supported the preservation of these buildings, as they are reminders of our pre-automobile and agricultural past. In this case, the barn on this property was constructed to match the style of the home. I would consider the preservation of the barn on this property a public benefit to the City's preservation efforts. Simple things such as maintaining the clapboard exterior, hayloft door, windows and doors would accomplish this as well as replacing the garage door with more appropriate carriage style door(s).

826 Watertown Street in 1886



Possible former location of brackets now missing. Brackets are characteristic features of Italianate style.



# Attachment D Zoning Map

826 Watertown St.

## Legend

- 826 Watertown St.
- Building Outlines
- Single Res. 1
- Single Res. 2
- Single Res. 3
- Business 1
- Business 2
- Business 4
- Business 5
- Limited Manufacturing
- Manufacturing
- Multi-Res. 1
- Multi-Res. 2
- Multi-Res. 3
- Multi-Res. 4
- Mixed Use 1
- Mixed Use 2
- OS/Rec.
- Public Use



The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

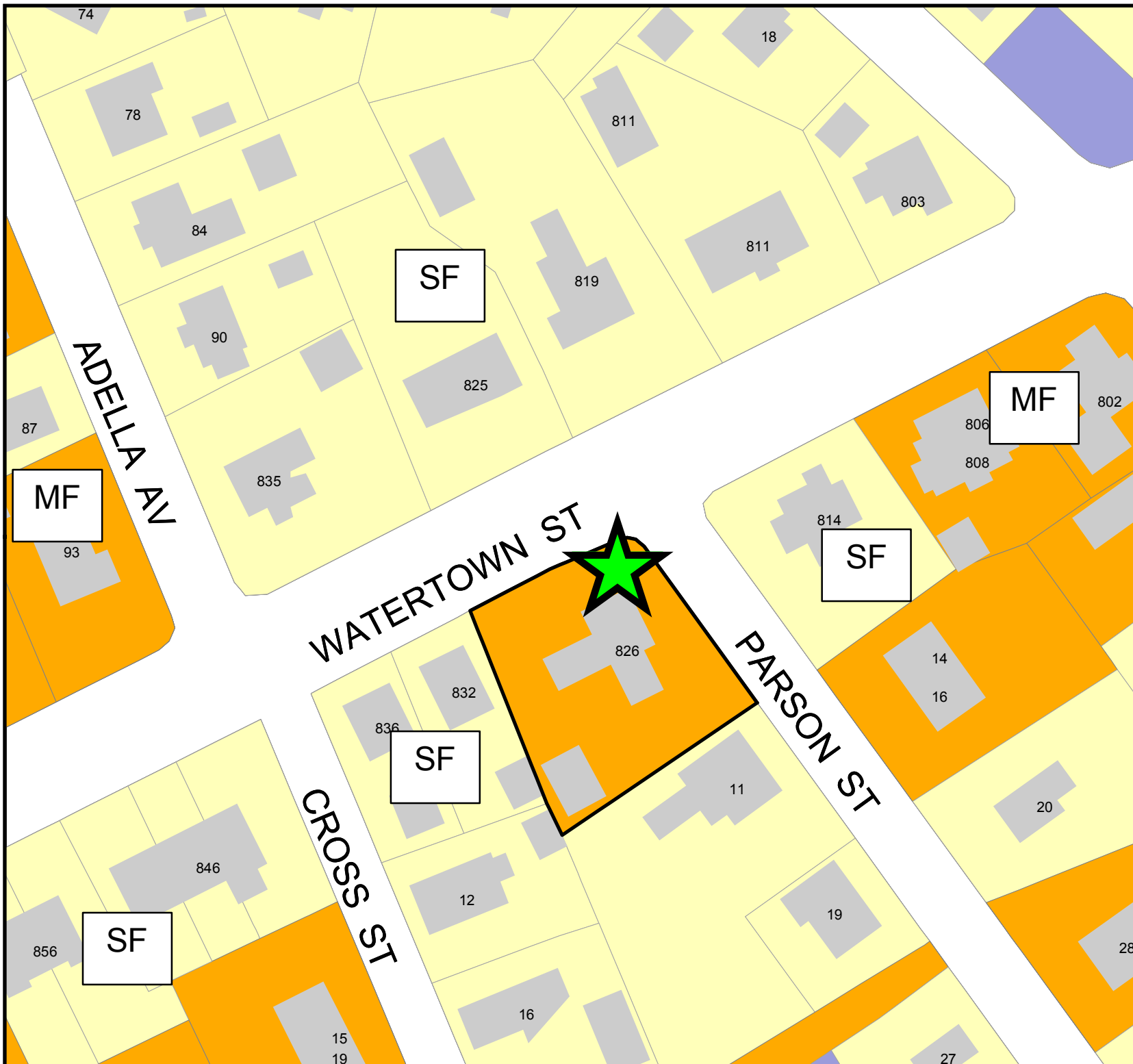
0 30 60 120 Feet

MAP DATE: April 09, 2010



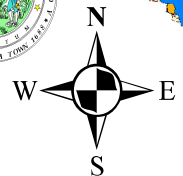
# Attachment E Land Use Map

826 Watertown St.

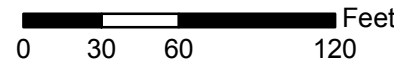


**Legend**

- 826 Watertown St.
- Building Outlines
- Single Family Residential
- Multifamily Residential
- Commercial
- Industrial
- Mixed Use
- Vacant Land
- Golf Course
- Open Space
- Private Educational
- Nonprofit Organizations
- Public Housing
- Tax Exempt
- Unspecified



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MAP DATE: April 09, 2010

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
April 20, 2010

ORDERED:

That the Board, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to allow for the legalization of an existing third unit in a two-family dwelling including waivers to the parking requirements as recommended by the Land Use Committee for the reasons given by the Committee through its chairman, Alderman Ted Hess-Mahan:

1. The third unit has existed without detriment to the neighborhood for over 50 years.
2. The legalization of the existing third unit will contribute to the diversity of the housing supply in Newton, which is consistent with the *Newton Comprehensive Plan*.
3. The waiver of parking requirements including the location of a stall in the side setback, within five feet of a structure containing dwelling units, and landscaping screening and lighting requirements is appropriate for the following reasons:
  - a. Parking has existed in its current arrangement for many years without detriment to the residents of the property or the surrounding neighborhood.
  - b. The neighborhood will be served by not adding additional paving or lighting to the site.
4. The petitioner will make improvements to the existing Italianate barn on-site which will remove two surface parking stalls from the site, allow for the preservation of an accessory structure, and will allow for the remaining four surface stalls to be conforming.

PETITION NUMBER: #74-10

PETITIONER: John A. Vitti/Marion T. Vitti

LOCATION: 826 Watertown Street, Section 31, Block 10, Lot 1  
containing approximately 15,474 sq. ft. of land

OWNER: Marion T. Vitti

ADDRESS OF OWNER: 826 Watertown Street, Newton, MA 02465

TO BE USED FOR: One additional dwelling unit in a two-family building for a total of 3 units

CONSTRUCTION: No new construction

EXPLANATORY NOTES: §30-9(c)(1) to convert an existing two-family structure to a three family residence; §30-9(c)(1)(b), 30-19(h), (i), & (j), and 30-19(m) to allow for waivers to the parking regulations, including the location of stalls in the setback, within five feet of a structure containing dwelling units and landscaping and screening and lighting requirements; §30-23 for site plan approval; and §30-24(d) for special permit approval

ZONING: Multi Residence 1 District

Approved subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with the following plan:

- “Area Plan of Land, Newton, Massachusetts at #826 Watertown Street,” dated October 1, 2009, stamped and signed by Joseph R. Porter, Professional Land Surveyor
- “Site Plan, Newton, Massachusetts Showing Conditions at #826 Watertown Street, dated October 1, 2009, stamped and signed by Joseph R. Porter, Professional Land Surveyor
- “A-1, Existing Basement Plan, No. 826 Watertown Street, Newton, MA,” dated 10/19/09, drawn by Construction Design Services, neither stamped nor signed by a licensed professional
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- “A-4, Existing Third Floor Plan, No. 826 Watertown Street, Newton, MA,” dated 10/19/09, drawn by Construction Design Services, neither stamped nor signed by a licensed professional, drawn by Construction Design Services,
- “E-1, Existing Exterior Elevations , No. 826 Watertown Street, Newton, MA, dated 10/19/09, drawn by Construction Design Services, neither stamped nor signed by a licensed professional, drawn by Construction Design Services

2. The building at 826 Watertown Street shall contain no more than 3 dwelling units.

3. The petitioner shall rehabilitate the existing Italianate barn on-site for use as a garage in order to accommodate two of the six required parking stalls.

4. No building permit shall be issued pursuant to this special permit/site plan approval until the petitioner has:
  - a. recorded a certified copy of this board order for the approved special permit/site plan with the Registry of Deeds for the Southern District of Middlesex County.
  - b. filed a copy of such recorded board order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
  - c. Submitted a revised site plan showing the removal of parking stalls #2 & #6.
5. No occupancy permit shall be issued pursuant to this special permit/site plan approval for the proposed unit until the petitioner has renovated the existing barn to accommodate two parking stalls.
  - a. filed with the City Clerk and the Department of Inspectional Services a statement by the Director of Planning and Development approving final site features and parking areas.
6. No occupancy permit shall be issued pursuant to this special permit/site plan approval for the proposed unit until the petitioner has renovated the existing barn to accommodate two parking stalls.